## CERTIFICATE OF MAILING 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1456, Alexandria, VA 22313-1450, on the date below:

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7-7-04 Date

Signature

**PATENT** 

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Bing Lu

Honglan Lu

Chih-Jian Chen

Serial No.: 10/649,206

Filed: August 27, 2003

For: Olefin Polymerization Catalyst and Process

for Preparing Polyolefins Using Said

Catalyst

Group Art Unit: 1713

Examiner: Ling Siu Choi

Atty. Dkt. No.: 10982.0008.NPUS00

## NOTIFICATION OF ERROR IN PAYMENT OF FEES AS A SMALL ENTITY

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

In late April 2004 Howrey Simon Arnold and White assumed representation of Formosa Plastics Corporation, U.S.A., the assignee of the above captioned application, from their previous counsel in this application. On reviewing the file, we discovered that on August 27, 2003, previous counsel had erroneously filed a small entity assertion. The undersigned has contacted previous counsel, Kenneth Glynn, regarding the assertion of small entity and Mr. Glynn said that the assertion of small entity status in this application and the payment of fees as a small entity were made in error and without deceptive intent.

On May 10, 2004, the undersigned filed a Request to Withdraw Small Entity Status (copy attached) and instructed that the fee for a one-month extension of time that was filed on the same date be deducted from our deposit account in the large entity amount. Our records indicate that the fee for the extension of time was deducted in the small entity amount. We continue to exercise diligence and good faith in attempting to correct this error. Thus, in compliance with 37 C.F.R. 1.28(c)(1)-(2), Applicants present below the itemization of the deficiency payment, the actual fees paid and their dates, and the total deficiency payment owed.

Fees Erroneously Paid as a	Fee Actually Paid as a Small	<b>Deficiency Owed</b>
Small Entity	Entity	
Filing Fee paid on Aug. 27, 2004	\$375.00	\$395.00
Extension Fee paid on May 10, 2004	\$55.00	\$ 55.00
	TOTAL DEFICIENCY OWED	\$440.00

The Commissioner is authorized to charge the deficiency fees to Howrey Simon Arnold & White Deposit Account No. 01-2508/10982.0008.NPUS00/REC. Please charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

Customer Number 23369 Howrey Simon Arnold & White, LLP 2941 Fairview Park Drive, Box 7 Falls Church, Virginia 2204 (713) 787-1558 (Phone) (703) 336-6950 (Fax)

Date: <u>September 6, 2004</u> Respectfully submitted,

Raymond Reese

Reg. No. 47,891

Patent Agent for Assignee

Formosa Plastics Corporation, U.S.A.